

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Proposing rule making related to camping, rental facility, vessel storage, and other special privilege fees and providing an opportunity for public comment

The Natural Resource Commission hereby proposes to amend Chapter 61, “State Parks, Recreation Areas, and State Forest Camping,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 455A.5(6)“a.”

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 455A.14.

Purpose and Summary

The proposed rule making amends portions of Chapter 61 by adding references to proposed new 561—Chapter 16 (**ARC 4226C**, IAB 1/16/19) and removes provisions that are no longer needed. This is because the Department of Natural Resources (Department) is authorized, pursuant to Iowa Code section 455A.14 as enacted by 2018 Iowa Acts, Senate File 2389 (signed by Governor Reynolds on April 26, 2018), to set and publish camping, rental facility, vessel storage, and other special privilege fees on the Department’s website.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. A copy of the impact statement is available from the Department upon request.

Jobs Impact

After analysis and review of this rule making, the Commission does not anticipate any impact to private sector jobs or employment in the state from this rule making. In fact, the public’s use of state parks and recreation areas provides important economic support to nearby cities and towns, with guests supporting local businesses and camping and rental fees resulting in sales tax revenue. This is expected to continue, and possibly at times even increase, due to the dynamic pricing strategies that would be made possible by this proposed rule making and its proposed companion rule making to adopt 561—Chapter 16. A copy of the impact statement is available from the Department upon request.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 571—Chapter 11.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on February 7, 2019. Comments should be directed to:

Sherry Arntzen
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street, Fourth Floor
Des Moines, Iowa 50319-0034
Email: sherry.arntzen@dnr.iowa.gov

Public Hearing

Six public hearings at which persons may present their views orally or in writing will be held as follows:

February 7, 2019 12 noon to 2 p.m.	Wallace State Office Building Conference Room 4E/4W Des Moines, Iowa
February 7, 2019 12 noon to 2 p.m.	Lake Darling State Park Lake Darling Lodge 111 Lake Darling Road Brighton, Iowa
February 7, 2019 12 noon to 2 p.m.	Cold Springs District Office Conference Room 57744 Lewis Road Lewis, Iowa
February 7, 2019 12 noon to 2 p.m.	Clear Lake State Park Office 2730 South Lakeview Drive Clear Lake, Iowa
February 7, 2019 12 noon to 2 p.m.	Delaware County Conservation Board Conference Room 2379 Jefferson Road Manchester, Iowa
February 7, 2019 12 noon to 2 p.m.	Lewis and Clark State Park Lewis and Clark Visitor Center Banquet Room 21914 Park Loop Onawa, Iowa

Persons who wish to make oral comments at a public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Rescind the definition of "Reservation transaction fees" in rule **571—61.2(461A)**.

ITEM 2. Rescind subrule 61.3(3) and adopt the following **new** subrule in lieu thereof:

61.3(3) Reservation transaction fees. Fees to process a reservation, change a reservation or cancel a reservation shall be set contractually with the reservation system vendor and published on

the department's website with the camping, rental facility and other special privilege fees set by the department pursuant to 561—Chapter 16.

ITEM 3. Rescind subrule 61.4(1) and adopt the following **new** subrule in lieu thereof:

61.4(1) Fees. Camping fees shall be set by the department pursuant to 561—Chapter 16.

ITEM 4. Rescind and reserve subrule **61.4(2)**.

ITEM 5. Amend paragraph **61.4(4)“b”** as follows:

b. Chaperoned, organized youth groups may choose to occupy campsites not designated as organized youth group campsites. However, the group is subject to ~~all fees and rules in 61.4(1), 61.4(3) and 61.4(5) pertaining to the campsite the group wishes to occupy, as well as all fees as set by the department in 561—Chapter 16.~~

ITEM 6. Amend rule 571—61.5(461A), introductory paragraph, as follows:

571—61.5(461A) Rental facilities. ~~The following are maximum fees for facility use in state parks and recreation areas. The fees may be reduced or waived by the director for special events or special promotional efforts sponsored by the department. Special events or promotional efforts shall be conducted so as to give all park facility users equal opportunity to take advantage of reduced or waived fees. Reductions or waivers shall be on a statewide basis covering like facilities. In the case of promotional events, prizes shall be awarded by random drawing of registrations made available to all park visitors during the event.~~

ITEM 7. Rescind subrule 61.5(1) and adopt the following **new** subrule in lieu thereof:

61.5(1) Rental facility fees. Rental facility fees shall be set by the department pursuant to 561—Chapter 16.

ITEM 8. Rescind and reserve subrule **61.5(2)**.

ITEM 9. Rescind rule 571—61.6(461A) and adopt the following **new** rule in lieu thereof:

571—61.6(461A) Vessel storage fees. Vessel storage fees shall be set by the department pursuant to 561—Chapter 16.

This rule is intended to implement Iowa Code section 455A.14.

ITEM 10. Amend paragraph **61.22(1)“b”** as follows:

b. The fees for camping in established state forest campgrounds shall be ~~the same as those cited in paragraphs 61.4(1)“a” and “b” for all other nonmodern camping areas managed by the department where fees are charged~~ set by the department pursuant to 561—Chapter 16.